

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA**

**STATE OF OKLAHOMA, ex rel.
W. A. DREW EDMONDSON, in his capacity as
ATTORNEY GENERAL OF THE STATE OF
OKLAHOMA and OKLAHOMA SECRETARY
OF THE ENVIRONMENT C. MILES TOLBERT,
in his capacity as the TRUSTEE FOR NATURAL
RESOURCES FOR THE STATE OF OKLAHOMA,**

Plaintiffs,

vs.

**TYSON FOODS, INC., TYSON POULTRY, INC.,
TYSON CHICKEN, INC., COBB-VANTRESS, INC.,
AVIAGEN, INC., CAL-MAINE FOODS, INC.,
CAL-MAINE FARMS, INC., CARGILL, INC.,
CARGILL TURKEY PRODUCTION, LLC,
GEORGE'S, INC., GEORGE'S FARMS, INC.,
PETERSON FARMS, INC., SIMMONS FOODS,
INC., and WILLOW BROOK FOODS, INC.,**

Defendants.

**05-CV-0329 JOE-TCK
JURY TRIAL
DEMANDED**

**DEFENDANT TYSON FOODS, INC.'s FIRST SET OF INTERROGATORIES TO
PLAINTIFFS**

Defendant Tyson Foods, Inc. (hereinafter "Tyson"), pursuant to Fed.R.Civ.P. 33, requests that the Plaintiffs provide written responses to the following Interrogatories fully in writing under oath, within thirty (30) days of receipt of same.

INSTRUCTIONS

The following instructions shall apply to these Interrogatories:

1. These interrogatories shall be deemed continuing pursuant to Federal Rules of Civil Procedure to require supplemental responses if the Plaintiffs directly or indirectly acquire additional information between the time the answers are served and the



INTERROGATORY NO. 8: Please describe all activities that have been conducted by any person, Entity or Agency within Your knowledge to investigate, evaluate, study, model or otherwise determine any characteristic of the water in the IRW, contaminant loading, or the conditions of any Water Body within the IRW, and in doing so, Identify all persons, Entities or Agencies with knowledge of such activities, and state for each such activity, what actions were taken, the time period of the activity, the objective(s) of the activity, who funded the activity, any conclusions, observations, or recommendations from the activity. Also, please Identify all Documents Related to such activity.

INTERROGATORY NO. 9: Please Identify every source of phosphorus/phosphorus compounds, nitrogen/nitrogen compounds, arsenic/arsenic compounds, zinc/zinc compounds, cooper/cooper compounds, hormones, microbial pathogens or other alleged hazardous substances, pollutants or contaminants within the IRW, which You allege in the Complaint to be Related to poultry industry operations. In doing so, please Identify each source by specific location, owner or operator, if any, and the mechanism and/or pathway for the transport of the alleged hazardous substances, pollutants or contaminants from the source to any Water Body within the IRW. Also, please Identify all Documents Related to such sources.

INTERROGATORY NO. 10: Please describe all evidence and Identify all Documents You contend supports Your allegation that the actions or inactions of any Tyson Defendant pose a threat to the health of any person in the IRW, and in doing so, please state for each such action or inaction, the specific conduct and Tyson Defendant You contend is responsible, and describe the specific threat posed to human health.

CERTIFICATE OF SERVICE

I hereby state that I have caused to be served via first class U.S. Mail, a true and correct copy of the above and foregoing, on this 2nd day of May 2006, to:

C. Miles Tolbert Secretary of the Environment State of Oklahoma 3800 N. Classen Oklahoma City, OK 73118	Mr. John Elrod Ms. Vicki Bronson CONNER & WINTERS, PC 211 W. Dickson Fayetteville, AR 72701
Tim K. Baker BAKER & ASSOCIATES 303 W. Keetoowah Tahlequah, OK 74464	Mr. James M. Graves Gary V. Weeks BASSETT LAW FIRM, LLP P.O. Box 3618 Fayetteville, AR 72702-3618
William H. Narwold MOTLEY RICE LLC 20 Church Street 17 th Floor Hartford, CT 06103	Mr. A. Scott McDaniel Nicole Longwell Philip D. Hixon JOYCE, PAUL & MCDANIEL, PC 1717 S. Boulder, Suite 200 Tulsa, OK 74119
Adam Scott Weintraub Twenty East Fifth, Ste. 410 Tulsa, OK 74103	Mr. Robert Sanders E. Stephen Williams YOUNG, WILLIAMS, HENDERSON & FUSELIER P.O. Box 23059 Jackson, MS 39225-3059
R. Thomas Lay KERR, IRVINE, RHODES & ABLES 201 Robert S. Kerr Avenue, Ste. 600 Oklahoma City, OK 73102	Randall E. Rose George Owens THE OWENS LAW FIRM, PC 234 W. 13 th St. Tulsa, OK 74119
W. A. Drew Edmonson Attorney General State of Oklahoma 2300 N. Lincoln Blvd., Ste. 112 Oklahoma City, OK 73105	Robert P. Redemann Lawrence W. Zeringue David C. Senger PERRINE MCGIVERN REDEMANN REID, BERRY & TAYLOR, PLLC P.O. Box 1710 Tulsa, OK 74101-1710